UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,994	08/21/2001	Elijahu Shapira	3561-106	9111

7590   10/19/2004

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EXAMINER
JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 August 2001_.

2a)☐ This action is **FINAL**.　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-13_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-13_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _1/22/2002_.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCreery

et al (hereinafter, "McCreery", 5,787,253) in view of Henrick et al (hereinafter, "Henrick",

6,055,510).

As per claim 1, McCreery discloses a method for generating web traffic reports comprising

the steps of:

- presetting IP filters (col. 8, lines 28-39);

- generating a log file incorporating the technical data and IP address (col. 1, lines 40-51, col. 2, lines 32-39 and col. 8, lines 28-50);

- applying the IP filters to the IP address stored in the log file (col. 8, lines 28-50 and lines 55-65); and

- generating a database file from the log file responsive to the IP filters (col. 5, lines 15-23, lines 30-42 and col. 8, lines 28-50).

However, McCreery does not explicitly disclose:

- storing a web page on a first server coupled to a wide area network, said web page including data mining code;

- uploading the web page to a visitor computer responsive to a request over the wide area network from the visitor computer, said visitor computer having a designated IP address;

- operating data mining code on the visitor computer to obtain technical data;

- receiving at a second server the technical data and the IP address of the visitor computer.

Henrick discloses a method for performing targeted marketing over a large computer network including:

- storing a web page on a first server coupled to a wide area network, said web page including data mining code (abstract, col. 3, lines 1-9 and col. 4, lines 27-37);

- uploading the web page to a visitor computer responsive to a request over the wide area network from the visitor computer, said visitor computer having a designated IP address (col. 3, lines 29-33 and lines 52-57);

- operating data mining code on the visitor computer to obtain technical data (abstract, col. 2, 58-64, col. 3, lines 1-9 and col. 4, lines 27-37);

- receiving at a second server the technical data and the IP address of the visitor computer (col. 3, lines 59-63, col. 4, lines 27-37, lines 66-67 and col. 5, lines 1-10).

Given the teaching of Henrick, it would have been obvious to one of ordinary skill in the art to modify McCreery by including data mining code within the web page to track and obtain user web activity in a timely and efficient manner.

As per claim 7, McCreery discloses a network comprising:

- a tracking node including a log file and a database (col. 1, lines 40-51, col. 2, lines 32-39 and col. 8, lines 28-50); and

- a filter node responsive to said visitor data based on a filter to select said visitor data for storage in a database (col. 8, lines 28-50 and lines 55-65).

However, McCreery does not explicitly disclose:

- a visitor node having a browser program coupled to said network, said visitor node providing requests for information on said network (abstract, col. 3, lines 1-9 and col. 4, lines 27-37);

- a web site node having a respective web site responsive to requests for information from said visitor node to provide media content and data mining code to said visitor node (abstract, col. 3, lines 1-9 and col. 4, lines 27-37);

- whereby said database is accessible by an owner of said web site node to view relevant traffic data to the web site node (col. 3, lines 59-63, col. 4, lines 27-37, lines 66-67 and col. 5, lines 1-10); and

- a communication from said visitor node based upon said data mining code to store visitor data obtained from said visitor node into said log file (col. 3, lines 59-63, col. 4, lines 27-37, lines 66-67 and col. 5, lines 1-10).

3.   Claims **2-3** and **8-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over McCreery in view of Henrick and in further view of Reilly et al (hereinafter, "Reilly", 5,740,549).

As per claim **2**, McCreery in view of Henrick discloses the invention substantially as claims discussed above.

However, McCreery in view of Henrick does not explicitly disclose:

- wherein the step of presetting IP filters includes setting an INCLUDE IP filter.

Reilly discloses an information and advertising distribution system and method including:

- wherein the step of presetting IP filters includes setting an INCLUDE IP filter (col. 9, lines 51-58).

Given the teaching of Reilly, it would have been obvious to one of ordinary skill in the art to modify the system of McCreery in view of Henrick by implementing INCLUDE filters to filter information that includes the user requested information only allowing the user to view the information in a timely and efficient manner.

As per claim **3**, McCreery in view of Henrick discloses the invention substantially as claims discussed above.

However, McCreery in view of Henrick does not explicitly disclose:

- wherein the step of presetting IP filters includes setting an EXCLUDE filter.

Reilly discloses an information and advertising distribution system and method including:

- wherein the step of presetting IP filters includes setting an EXCLUDE filter (col. 9, lines 51-58).

Given the teaching of Reilly, it would have been obvious to one of ordinary skill in the art to modify the system of McCreery in view of Henrick by implementing EXCLUDE filters to filter information that excludes the user requested information only allowing the user to view the information in a timely and efficient manner.

As per claim **8**, McCreery in view of Henrick discloses the invention substantially as claims discussed above.

However, McCreery in view of Henrick does not explicitly disclose:

- wherein said filter node selects said visitor data based on whether the visitor data is included within the filter.

Reilly discloses an information and advertising distribution system and method including:

- wherein said filter node selects said visitor data based on whether the visitor data is included within the filter (col. 9, lines 51-58).

Given the teaching of Reilly, it would have been obvious to one of ordinary skill in the art to modify the system of McCreery in view of Henrick by including user information within the filter in order to view the information in a timely and efficient manner.

As per claim **9**, McCreery in view of Henrick discloses the invention substantially as claims discussed above.

However, McCreery in view of Henrick does not explicitly disclose:

- wherein said filter node selects said visitor data based on whether the visitor data is excluded from the filter.

Reilly discloses an information and advertising distribution system and method including:

- wherein said filter node selects said visitor data based on whether the visitor data is excluded from the filter (col. 9, lines 51-58).

Given the teaching of Reilly, it would have been obvious to one of ordinary skill in the art to modify the system of McCreery in view of Henrick by excluding user information within the filter in order to view the information in a timely and efficient manner.

As per claim **10**, McCreery discloses:

- wherein said filter is an IP address filter (col. 8, lines 28-50 and lines 55-65).

4.   Claims **4-6** and **11-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over

McCreery in view of Henrick and in further view of Dobbins et al (hereinafter, "Dobbins",

6,249,820)

As per claims **4** and **12**, McCreery in view of Henrick discloses the invention substantially

as claims discussed above.

However McCreery in view of Henrick does not explicitly disclose:

- the step of using classless inter-domain routing.

Dobbins Internet Protocol (IP) work group routing including:

- the step of using classless inter-domain routing (col. 1, lines 34-48).

Given the teaching of Dobbins, it would have been obvious to one of ordinary skill in the art

to modify the system McCreery in view of Henrick to include inter-domain routing in order to

identify a user on a network.

As per claims **5** and **13**, McCreery in view of Henrick discloses the invention substantially

as claims discussed above.

However McCreery in view of Henrick does not explicitly disclose:

- the step of using standard pattern matching specifications like Regular Expressions.

Dobbins Internet Protocol (IP) work group routing including:

- the step of using standard pattern matching specifications like Regular Expressions (col.

  2, lines 18-21).

Given the teaching of Dobbins, it would have been obvious to one of ordinary skill in the art to modify the system McCreery in view of Henrick to include Boolean expressions in order to route information to the IP address of the destination network in a timely and efficient manner.

As per claims **6** and **11**, McCreery in view of Henrick discloses the invention substantially as claims discussed above.

However McCreery in view of Henrick does not explicitly disclose:

- defining a subnet mask; and

- filtering the IP addresses using the subnet mask with a binary AND operator.

Dobbins Internet Protocol (IP) work group routing including:

- defining a subnet mask (col. 1, lines 34-48 and col. 2, lines 18-21); and

- filtering the IP addresses using the subnet mask with a binary AND operator (col. 2, lines 18-21).

Given the teaching of Dobbins, it would have been obvious to one of ordinary skill in the art to modify the system McCreery in view of Henrick by implementing subnet addressing in order to compare the network portion of the destination address to the network address field of each entry in the routing table in order to match the destination IP address to a physical address.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,018,619 to Allard et al

U.S. Pat. No. 5,892,917 to Myerson

U.S. Pat. No. 6,393,479 to Glommen et al

U.S. Pat. No. 6,330,592 to Makuch et al

U.S. Pat. No. 6,317,787 to Boyd et al
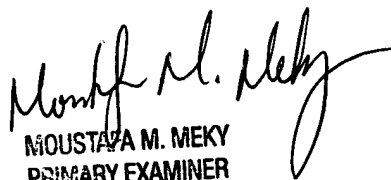
U.S. Pat. No. 6,766,327 to Morgan, Jr. et al

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LaShonda T Jacobs whose telephone number is 703-305-7494.

The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs
Examiner
Art Unit 2157

ltj
October 14, 2004

MOUSTAFA M. MEKY
PRIMARY EXAMINER